

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

OLEKSANDR V. OLIYNYK,
 Petitioner

v.

WARDEN DOLL,
 Respondent

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No. 1:17-cv-02197

(Judge Kane)

ORDER

AND NOW, this 5th day of February 2018, **IT IS ORDERED THAT:**

1. Petitioner Oleksandr V. Oliynyk's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Doc. No. 1), is **GRANTED** insofar as Petitioner shall be afforded an individualized bond hearing before an immigration judge within thirty (30) days of the date of this Order;
2. At the bond hearing, the immigration judge must make an individualized inquiry into whether detention is still necessary for purposes of ensuring that Petitioner attends removal proceedings and that his release will not pose a danger to the community. Chavez–Alvarez v. Warden York Cnty. Prison, 783 F.3d 469, 475 (3d Cir. 2015). Further, the government bears the burden of demonstrating that Petitioner's continued detention is necessary to fulfill the purposes of the detention statute. Diop v. ICE/Homeland Sec., 656 F.3d 221, 233 (3d Cir. 2011); and
3. The Clerk of Court shall **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania